

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

SINGULAR COMPUTING LLC,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

C.A. No. 1:19-cv-12551-FDS

Hon. F. Dennis Saylor IV

**DEFENDANT GOOGLE LLC’S
UNOPPOSED MOTION TO IMPOUND/SEAL DESIGNATED MATERIAL**

Pursuant to Local Rule 7.2 and the Protective Order in this case (“Protective Order”), (Dkt. No. 87), Defendant Google LLC (“Google”) respectfully requests that this Court impound (seal) certain exhibits to the Declaration of Asim Bhansali in Support of Google’s Motion to Strike Expert Report of Sunil Khatri, PhD. (“Bhansali Declaration”). The exhibits to be sealed are identified below.

The Protective Order allows a party producing documents in discovery to designate documents as “Confidential” after making a good-faith determination that the documents contain information that is “confidential, proprietary, and/or commercially sensitive information,” and to designate documents as “Highly Confidential – Attorneys’ Eyes Only” after making a good-faith determination that the documents contain information that is extremely confidential and/or sensitive in nature and the disclosure of such documents is likely to cause economic harm or significant competitive disadvantage. Protective Order ¶¶ 6-7. That Order requires that a party intending to make court filings referring to such Protected Material bring a motion to impound. *Id.*

¶ 14.

The following exhibits to the Bhansali Declaration contain information that Google and Singular have designated as containing “Highly Confidential – Attorneys’ Eyes Only” or “Highly Confidential Source Code – Attorneys’ Eyes Only” information; specifically, information about how Google’s accused tensor processing units (TPUs) operate.

- **Exhibit 1:** The expert report of Dr. Khatri, which Singular served with the designation “Highly Confidential Source code – Attorneys’ Eyes Only”
- **Exhibit 2:** Portions of the deposition transcript of Andy Phelps

Submission of the above-identified protected material is necessary to permit the Court to fully evaluate the issues raised in Google’s Motion to Strike. Google therefore brings this Motion to Impound to seal the above-identified documents.

For the foregoing reasons, Google respectfully requests that the Court permit it to file the above-identified exhibits under seal. Google further requests that the documents remain impounded until further order by the Court, and that upon expiration of the impoundment that the documents be returned to Google’s counsel.

Respectfully submitted,

Dated: January 18, 2023

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LOCAL RULE 7.1(a)(2) CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), I certify that, on January 18, 2023, counsel for Defendant Google LLC and counsel for Plaintiff Singular Computing LLC met and conferred in good faith regarding resolution of this motion. Counsel for Plaintiff stated that it does not oppose the relief requested in this motion.

/s/ Nathan R. Speed
Nathan R. Speed

CERTIFICATE OF SERVICE

I certify that this document is being filed through the Court's electronic filing system, which serves counsel for other parties who are registered participants as identified on the Notice of Electronic Filing (NEF). Any counsel for other parties who are not registered participants are being served by first class mail on the date of electronic filing.

/s/ Nathan R. Speed

Nathan R. Speed